

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>DUSTIN STANTON,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	<b>Case No. 3:19-cv-00270</b>
<b>v.</b>	)	
	)	<b>JUDGE CAMPBELL</b>
<b>RUBY JOYNER, et al.</b>	)	<b>MAGISTRATE JUDGE NEWBERN</b>
	)	
<b>Defendants.</b>	)	

**ORDER**

Pending before the Court is Plaintiff’s Motion for Review of Non-Dispositive Order of Magistrate Judge Denying Request for Discovery into Affirmative Defenses and Extending the Dispositive Motion Deadline. (Doc. No. 137).

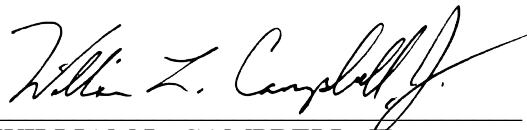
Plaintiff has raised a number of details and arguments that were not presented to the Magistrate Judge for her consideration. The Joint Dispute Statement submitted by the parties on November 15, 2021, stated only that Plaintiff needs “additional time and discovery tools to explore the factual basis for the conclusory affirmative defenses pleaded by all remaining defendants.” (Doc. No. 125). Absent compelling reason, the District Judge generally will not consider arguments not presented to the Magistrate Judge. *See Murr v. United States*, 200 F.3d 895, 902 n.1 (6th Cir. 2000). Although Plaintiff raise the issue of additional discovery in November 2021, the motion for review contains significantly more information regarding the discovery sought and its importance than was presented to the Magistrate Judge.

The Court also notes that the trial in this case is scheduled for July 26, 2022, which leaves little time for discovery and dispositive motions. Neither party has requested a continuance of the trial date.

The Motion for Review is **DENIED WITHOUT PREJUDICE**. Plaintiff is directed to present his arguments regarding discovery and dispositive motions deadlines to the Magistrate Judge for her consideration.

In the February 3, 2022 Order, the Magistrate Judge found that a second good-faith attempt at case resolution, including mediation by the parties, was warranted. (*See* Doc. No. 131 at 3). The parties are hereby **ORDERED** to mediation with a mediator jointly agreed upon by the parties. The parties should endeavor to complete the mediation no later than March 30, 2022. As stated by the Magistrate Judge, the parties are encouraged to consider the mediation services offered by Magistrate Judge Joe Brown. On or before March 15, 2022, the parties shall file a notice giving the name of the mediator and the schedule date of the mediation.

It is so **ORDERED**.

  
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WILLIAM L. CAMPBELL, JR.  
UNITED STATES DISTRICT JUDGE